

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CR-323-F-1

UNITED STATES OF AMERICA)
vs.)
MAURICE LASHAWN MELVIN,)
Defendant.)

ORDER

This matter is before the court *sua sponte*. On October 26, 2015, the Fourth Circuit Court of Appeals vacated Defendant's judgment and remanded the case for resentencing in light of *Johnson v. United States*, 135 S. Ct. 2551 (2015). Upon remand, the court held a resentencing hearing on January 7, 2016. During the hearing, the court found Defendant no longer faced an enhanced sentence under 18 U.S.C. § 924(e) but rather faced a statutory maximum term of imprisonment of 10 years. *See* 18 U.S.C. § 924(a)(2). In identifying the title and section of the offense, however, the amended judgment erroneously includes "18 U.S.C. § 924(e)(1)." *See* [DE 63]. Accordingly, the court finds that amending the amended judgment is necessary to correct a clerical error. *See* FED. R. CRIM. P. 36.

For the foregoing reasons, the Clerk of Court is DIRECTED to amend the Amended Judgment to reflect the title and section of the offense as "18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924."

SO ORDERED.

This the 26th day of August, 2016.

James C. Fox

JAMES C. FOX
Senior United States District Judge